VOL. LXXVII.-NO. 100.

CITY SCHOOL FOOTBALL DEAD

BOARD OF EDUCATION ABOL ISHES THE GAME.

James E. Sullivan About the Only Strong Protestant Against Resolution to

The Board of Education passed yeserday a resolution ordering that football in the public schools be abolished on and after January 1. At the board cided. meeting the committee on high schools submitted a report recommending that the suggestion of the board of superintendents in relation to football be approved. The superintendents had adrised that "the game known as American or college Rugby football be abolished from the public schools."

Mr. Harrison offered an amendment to the committee report in effect that he edict against football go into effect January 1 next, and that school principals and teachers be called upon to disourage the game among boys outside of the schools.

"I would like to know who inspired this crusade against football," Mr. Sullivan went on. "How did it get before the board of superintendents in the first place? Let the genial Dr. Maxwell explain.

"The preamble to the resolution of the board of superintendents fully answers the gentleman's inquiry," said the superintendent, who sat down after this short

The preamble was read for the benefit of the meeting. It declared that the present game of football was dengerous to life and limb and that there were many other athletic games that the pupils might indulge in without injury.

"I think that when the superintendent took up this matter they gave us a chance to criticise them," said Mr. Sullivan. There is good reason for criticism, and seems to me it would be advisable watch them closely. If their work in other directions is not any more intelligent or satisfactory they cannot too closely. They don't known the name of the game they condemn nor do they know the name of the game that the pupils of the schools are asked to give up.

The scholars are not playing What the superintendents really ought to introduce is Rugby, but they rance of the game. I don't see how you It is half a mile long and a third of can plas that resolution and effect any wide. As a spectacle, the profess that could investigate the merits of the game and know something about it. Commissioner May moved to postpone action. The motion was lost.

Frederic R. Condert, said he was surprised to learn that James E. Sullivan vas about the only man at the meeting the homicidal game of football when

he saw it. There have been twenty-seven deaths from this game during the last season and an enormous number of young men were injured," he continued. "The game is barbaric and brutal and ought not to e tolerated in our public schools. Dr. Butler of Columbia has had the good rense to abolish it from that university It has been shown that when a football player has been injured and appears in another game when partly recovered, the opposing players mass their men against this injured youth so as to overcome him.

"Is that a game of fair play? They try to cripple him permanently, and often do. Mr. Jeffries says he is going to bring up his son as a pugilist because he will have to fight only one man at the time and no eleven. Col. Mosby says it is murder when a young man is killed at football, and Col. Mosby showed during the civil Foremen and Assistant Foremen Want war that he was no coward on the field

"The game is worse than it ever was and all talk of reforming it amounts to nothing. It doesn't matter whether you call the game Rugby, Ballibaloo or just scrimmage, it is the same brutal display of animal strength to maim the youth of our country. In the name of decency the high school committee recommends that

John Greene said that as trustees for the children it was the duty of the members of the board to do away with such a dangerous game and not incur responsi pility for injured pupils.

"Mr. Sullivan may know what the name of the barbaric game is, but he is keeping he knowledge to himself," said Mr. Harcommittee didn't know the name of the game any more than the superintendents asked him what then was the name. He said he wouldn't tell me.

"No matter what may be the name of the game that is killing so many young men throughout the country, it ought to be abolished. I have been a spectator at these games whose name I am supposed not to know. I have seen four young men carried off the field of battle, should say play, grievously injured. I got tired of the slaughter and I vowed ever again to attend another game. It s a brutal pastime and does not develop manhood. It does not develop good soldiers or sailors. It spoils them by

crippling their physical strength. 'In a hospital over in Brooklyn I know of five young men there that are suffering from injuries obtained at football. Some them may never get permanently

A vote was taken and the amended resolution was carried.

WEST ORANGE, N. J., Dec. 8.—The Wes Orange Board of Education has issued an order forbidding the boys of the high school or any other school under its jurisdiction to play Rugby football.

The action follows the death on November 19 of Albert P. Wibiralske, a student of the high school, whose neck was broken in a play that day in the game between he high school and Trinity Chapel, New

MRS. HAIG TO WED AGAIN. A HUDSON-FULTON PARK PLAN Daughter of the Late Wm. Astor to B Bride of Secretary of Embassy Phillips

Special Cable Despatch to THE SUN. LONDON, Dec. 8.-William Phillips, the THERE'LL BE A WATER BASIN. lew secretary of the American Embassy onfirms the rumor that preceded him here that he will shortly marry Mrs. Haig Protestant Against Recolution to of Brook street, Grosvenor Square, kill the Sport—Even Jeffries's Opin-daughter of the late William Aster of ion Cited by Frederic R. Coudert. New York. Mrs. Haig is now in Washington. Mr. Phillips says:

"All I will say now is that the marriage will take place in the near future; whether here or in Washington has not been de-

Mr. Phillips is now seeking a hous in London

Charlotte Augusta Astor, born in 1858 was the third daughter of William Astor and his wife, Caroline Webster Scher merhorn Astor, who was for many spoken of as the leader of New York society until her death last year. Charlotte Astor was wedded to J. Coleman Drayton in 1879. In 1892 there was talk of a duel between Drayton and Hallett Alsop Borrowe in Europe, but none took place. On March 23, 1896, Chancello McGill of New Jersey granted to Mrs Drayton a divorce on the ground of de-

She married George Ogilvy Haig a wealthy Scotch distiller, in 1897. He Amateur Athletic Union and a member died December 27, 1905, at Chester, where of the board, asked that the report be he and his wife had stopped a day or two previously to break their journey to Dublin, where they were to spend Christmas with his family. His death

was caused by ptomaine poisoning. Mr. Astor by a codicil to his will de-prived Mrs. Haig of any share in his estate, transferring her share to her our children by Coleman Drayton. Mrs. Astor, however, divided her entire separate estate, said to be very con-siderable, between two of her daughters, Mrs. Haig and Mrs. Marshall Wilson. Mrs. Haig lives in London at 65 Brook street, Grosvenor Square.

GLARE OF SOUTH SEA VOLUANO.

One Can Read at Night by Reflection From the Sky-Savail Lake of Fire. SAN FRANCISCO, Dec. 8 .- Prof. Henry F. Crampton of the University of Columbia, a biologist and anthropologist of note, who is associated with the American Museum of Natural History and the Carnegie Institute, has arrived on the steamship Alameda from a trip in the South Seas.

Prof. Crampton left here on May 20 and has engaged since that time in research among the islands of the South Seas, and in the course of his travels he visited Savaii, an island of the Samoan group, on which a volcano burst forth n 1905. He describes the island as one of the wonders of the world.

The lava has flowed to the sea and formed a solid wall for five miles along the shore and projecting about balf a mile into the sea. The lake of fire, formerly level with the crater mouth, now lies 400 feet below the rim It is half a mile long and a third of a mile Hudson anchored on his return from

it was magnificent. He spent a night at Indians. fore the meeting and advised him to the rim of the crater, and says that for ave the matter referred to a committee half a mile away from the crater it was possible to read by the glare reflected from

REOPEN RUTH BRYAN DIVORCE. Former Husband Will Ask Court to Re- ex-Tax Commissioner, and Charles A.

consider Case. LINCOLN, Neb., Dec. 8.-Wi Leavitt, divorced by Ruth Bryan Leavitt on the allegation of cruelty and nonsupport, is proceeding with the preiminaries necessary to filing a polition asking the Lancashire county District Court to reopen the case.

His recent request to the court for transcript of Mrs. Leavitt's testimony in support of her charge of non-support met with a rebuff, but the artist has engaged a Lincoln attorney to represent him and to get the transcript on a formal writ to the court.

Mrs. Leavitt is on the point of leaving with her parents for a tour of the West Indies preliminary to a longer absence in Europe while Mr. and Mrs. Bryan are travelling in South America. Her former husband's determination

to revive the divorce suit now threatens to force the abandonment of her trip.

as Good Salaries as Police.

Leland D. Potter and Joseph Dooley Department of the rank of foreman and assistant foreman, have asked the Board of Estimate and Apportionment to increase the salaries for these places. The request is made with the permission of the chief and the Commissioner of the department. The petition asks that the salaries be

lieut nants of police respectively-that is, that foremen be raised from \$2,160 to \$2,759 year and that assistant foremen get 2.250 instead of \$1,800. It is pointed out that lieutenants of police by the recent increase will get more than foremen now

It is set forth that these fire officers

responsibilities have increased The petition sets forth that there are now 257 foremen and 361 assistant foremen, so that the salary increase would mean \$314.080 more expense to the city. "which, says the petition. "is but a small amount considering the services rendered to the

DEATH FOR 14 MUTINEERS. Filipine Constabulary Men Convicted of Murder in Revolt Last June.

Special Cable Despatch to THE SUN. MANILA, Dec. 9 .- Fourteen of members of the second company of constabulary who mutinied last June at Davao, island of Mindanao, have been convicted of killing Planter Libby and have been sentenced to die on the Plaza, where the mutineers attacked the foreigners.

The mutineers, who comprised part of the second company, first attacked their officers, wounding one of them. The Americans took advantage of a slight delay to seek refuge in a convent, which was hastily fortified. Then the mutineers attacked the convent and shots were exchanged for three hours. During the firing Mr. Libby was killed and five others

DEWEY'S WINE HOUSE & RESTAURANT Only half Block east of Fulton St. Sub-Station. H. T. Dewey & Sons Co., 138 Fulton St., New York.

AT SPUYTEN DUYVIL, WHERE

The Half Moon and the Clermont Will Be Kept in This-Property Already Is Picked Out-H.-F. Commission 825,-000 Rehind and Will Spend No More.

Ever since the termination of the Hudon-Fulton celebration the trustees and members of the commission and members of the different committees have been with the Half Moon and the Clermont. The Half Moon is in the Brooklyn navy yard and the Clermont is off 110th street on the Hudson River. These two vesels were built at considerable cost and decay, as have the caravels that were eatures of the Columbian celebration.

A plan has now been suggested and has met the approval of the Hudson-Fulton trustees by which the two vessels will be kept in a basin near what is to be named Fry, a member of the Half Moon comnittee, worked out the plan. He has given much of his own time to the project and has interested others who have helped him materially. He has a fair

start for the fund necessary for the work. The plan is to buy a piece of property at Spuyten Duyvil, a few blocks north of the Hudson River Railroad station and at the foot of 231st street, where there is a subway station. Three piers are to be built out into the Hudson, and the wo vessels moored in the spaces between these piers. There is to be a terrace, and steps leading down from Palisade avenue, which is 139 feet above the level of the river, a bridge crossing the railroad rack and then steps down to the basin. Central, Prospect and the Bronx parks

were suggested first as proper places

or the vessels. Others suggested differ-

ands. Newburgh and other sites were ecause that kept the vessels in the city. He was very strong for the Half Moon being properly cared for because that vessel had been built by the Dutch, paid or by private subscription and cost 100,000 guilders, or about \$40,000, to build. He thought such a graceful compliment to New Yorkers called for more than ordinary action on the part of the comnittee in charge of the vessel and of the

He favored Spuyten Duyvil because on 281st street stands the monum arected to the memory of Henry Hudson, the memorial bridge to be built will terminate there and near that spot is where

He first got an option on a piece of ground running from Palisade avenue to the water, with all riparian rights. This piece of property is about 200 feet Then, having a price quoted by the owner, he went to James L. Wells, Berrian, experts on real estate, and got them to appraise the value of the property. Their figures were very close to the price set by the owner. They charged im nothing for the work.

Then he enlisted the services of John G. Van Horne, an engineer, who surveyed the property, drew plans, told him what it would cost to build the piers, platforms, water gate, bridge, stairways and terruces, and he too asked nothing for his work. Mr. Fry set to work to raise the fund necessary for the purchase of the property, and at a meeting of the comnission yesterday afternoon he was able to tell everything that the members wanted to know. The commission in-

iorsed Mr. Fry's plans. Mr. Fry was then made chairm an of a committee to continue the work. He is going to ask the public to subscribe. He thinks that so many are interested in these two vessels that he will have little difficulty in getting all the money wanted. After this has been done and the vessels have been moored in the basin the cost

of keeping them will be very small. Herman Ridder, the treasurer of the commission, made a brief statement. He representing the 618 officers of the Fire said that unpaid bills for the upper Hudson amounted to \$14,585.31; unpaid bills for the lower Hudson, \$1,692.86, and other bills to \$44,432.26, making a total indebtedness of \$60,710.43. To pay these bills there is available \$17,033.86. He said he had not time to go into details, but really there was a deficit of only \$25,000 nade equal to those paid to captains and and he was not worrying about that. It was decided that no further indebte should be incurred.

Gen. Stewart Woodford, president of the commission, is to go abroad to presen the gold medals to the foreign Governments represented in the naval display. He will go first to the Netherlands and present the medal to the Queen, then to have not had an increase in salary in the Germany and present the medal to the last ten years, although their duties and Kaiser, and afterward to France, Italy and Great Britain. The medals for Mexico and Argentine Republic will be presented through the State Department. While Gen. Woodford is away Mr. Ridder will be acting president, and Judge Morgan J. O'Brien was elected as vice-president.

Permission was asked to remove the water gate at 110th street, but action on this was deferred. It was pointed out that when the ice gets in the river this probably will be carried away. Mr. Fry and Engineer Van Horne want the material used in constructing this gate for the cribwork and basin to be built at Spuyten Duyvil, as having that will save conaiderable expense.

MRS. BEN TEAL MAY SUE For Damage for Her Prosecution-In-

dietment Formally Dismissed. Judge Foster of the Court of Genera essions dismissed yesterday the indictment charging Mrs. Pen Teal with subornation of perjury in the Frank Gould divorce case. Maurice B. Blumen thal, her counsel, intinutes that she will now sue for damages, the Court of Appeals having decided that the facts upon which she was indicted and tried did not constitute a crime and that she should never even have been put in jeopardy.

Cardinal Gibbons urges all Catholios to use the Manual of Prayers. John Murphy Co., Pub-lishers, Baito. For sale Book and Dept. stores.— Adv.

AHEARN IS OUSTED.

Aldermen Will Have a Chance to Elect Three Weeks Presid

Supreme Court Justice McCall yesterlay signed the order ousting John F. Ahearn as President of the Borough of Manhattan. The order recites that Ahearn has unlawfully usurped, held and intruded nto the office of Borough President of Manhattan and will continue to hold such office until January 1, 1910, unless ousted by the judgment of the court.

"I accordingly direct judgment for the plaintiff (the Attorney-General) for the relief demanded and direct that defendant be ousted and excluded from office, the plaintiff to recover all costs of the action," reads the order.

Deputy Attorney-General Stephens said and served on Mayor McClellan this norning, and that the Mayor will then required to call a special meeting the committees did not want them to of the Board of Aldermen to elect Ahearn's successor. He said that he didn't beieve any notice of appeal from Justice ouster order could stay the Mayor's action.

MARRIED WITH FORMALITY. Hudson-Fulton Park. George Gardiner Cufford S. Sims Respects Bride's Mother's Love for the Conventional.

BALTIMORE, Dec. 8 .- Miss Martha Lee Jenkins of Annapolis was married here to-day to Clifford S. Sims, second vicepresident of the Delaware and Hudson Railroad Company.

About a month ago Mr. Sims, without the knowledge of Miss Jenkins's mother. got a license to marry Miss Jenkins, but returned it the same day and got his money back. No other explanation was offered by the Jenkins family save that it was all a mistake, the license having een prematurely secured.

It was said at the time that the marriage would take place. The obstacle to the marriage was Mrs. Jenkins's objection to the unconventional manner in which Mr. Sims went about it. She said she wanted the wedding to take place in Baltimore with some formality.

A new license was taken out this morn-The ceremony was witnessed by only the brother of the bridegroom, ent places up the Hudson. The Highwho acted as best man, and by Mrs. Jer kins, who gave her daughter in marriage. The Rev. Louis O'Donovan of the Cathe dral performed the ceremony and Cardinal Gibbons pronounced the benedic-

Immediately after the ceremony Mr. and Mrs. Sims left in an automobile for a honeymoon trip. They will live in Albany, N. Y.

BUCK DROWNS A HOUND. Turns on Pursuer in Pond and Soon Ends Fight for Life.

PROVIDENCE, Dec. S .- A hound belongng to Frank Lillie of Riverpoint was Greenwich by a deer that he had pursued brough the woods and into the water-Lillie, with a party of hunters from Greenwich woods for a day's sport. They had spent several hours in the woods when Spot, Lillie's hound, disappeared.

Three miles away a party of men at work about a sawmill heard the baying of a hound. A moment later a young buck broke from the woods and bounded across the fields to the water's edge. Close on its trail was the hound.

and the dog followed. The buck was evidently tired, for the

his flanks. Then the buck turned and gave fight. Several times both animals went unde water, but finally the deer came to the surface alone, swam to the opposite side of the pond and disappeared in the woods.

ADULTERY CHARGE FAILS,

lithough Wife of Man in the Case Got Divorce on Statutory Ground.

Mrs. Marion R. Drake of 50 Cathedral Parkway, wife of Edward E. Drake, a Broadway merchant, and George J. Essig. a plumbing contractor who gave the same address as Mrs. Drake, were acquitted in Special Sessions yesterday of the charge of adultery, Justices Hoyt and Deuel deciding and Justice Mayo dissenting.

The prosecution was brought last July pon a warrant issued by Magistrate Herbert after a decree of divorce had been granted to Mrs. Essig. based upon the same offence, which was alleged to have been committed on April 16, 1908. Mrs. Essig was represented in court by her attorney, Joseph E. Greenberg, who aided Assistant District Attorney Dana in the prosecution. Mrs. Drake is the defendant in a divorce suit pending in the Supreme Court of New York county. The witness against the defendant

was Laura Brown, a negress, who was employed as a maid in the Drake apartnent at 610 West 111th street, where the offence was alleged to have been committed.

ODD ACCIDENT INDICATED. Man's Bedy Without Bruise, but His Liver Was Ruptured.

Coroner's Physician O'Hanlon Prof. John H. Larkin of the College of Physicians and Surgeons making an autopsy on the body of an unidentified man at the Morgue yesterday found that although there was no outward sign of injury on the body the man's liver was ruptured in a dozen places.

The man, apparently about 45 years old and fairly well dressed, was picked up unconscious on the sidewalk at Ninety-first street and Third avenue on Tuesday evening by Policeman John J. Kieran who thought it was a case of intoxication The man died in the East Eighty-eighth street station before the arrival of Dr Brewster from Flower Hospital. There was nothing to establish identity.

"It is an astounding case," said Dr O'Hanlon. "The body was absolutely without scratch or bruise, and yet the liver was so generally ruptured that we can conclude only that he sustained a terrific blow. Perhaps he was struck in the back by a speeding automobile in the neighborhood where he was found, but no one seems to know about such an Coroner Acritelli is making an investi-

JONNESCO HIMSELF OPERATES

TUMOR ON EPILEPTIC'S BRAIN REMOVED UNDER STOVAINE.

Dr. Morris, Who Did This Operation, Says That It Could Not Have Been Risked With Chloroform or Ether-A 9 Minute Appendectomy, Patient Conscious.

Four operations in which stovaine was used were performed yesterday afternoon at the Post-Graduate Medical School and Hospital, 303 East Twentieth street. Jonnesco, the Rumanian surgeon who is conducting the experiments for the surgeons of this country, adthat the judgment roll will be made up ministered the stovaine himself, as he had done on Tuesday, but in addition he did one operation, which was considered successful from a surgical standpoint at least. The other three operations were performed by Dr. Robert T Morris.

The most interesting case was an operation on a twenty-year-old boy who was suffering from a tumor on the brain, or rather on the frontal bone. The patient had been subject to epileptic fits and had a weak heart, and the doctors said that it would be fatal to administer ether or chloroform. The Rumanian surgeon assured them that stovaine was safe. Up to a late hour last night the patient was doing exceedingly well and and suffered no ill effects.

The operating room in the hospital was filled with interested students and surgeons. Some distinguished physicians were allowed to remain near the operating table, while others found seats in the small gallery. During the operations Dr. Morris explained the various symptoms and the steps that he was taking. It was very much like the usual clinic in this

As soon as one operation was completed Dr. Morris told the attendants to bring in the next subject. In the interim people in the gallery sent cards with questions written on them which Dr. Morris answered, sometimes after putting the question to Prof. Jonnes

Prof. Jonnesco operated in a case of nernia and worked rapidly. The second operation of the day, done by Dr. Morris was for ordinary appendicitis and was over in nine minutes. The patient was lways conscious, but suffered no pain.

The tumor was Prof. Jonnesco's first experiment here in using stovaine for the upper part of the body. The injection was made between the first and second dorsals. The boy lay still while the injection was made, but as soon as Dr. Morris made an incision with his sors moved with a jerky motion. Dr. Morris, by the way, used soissors whoily, there was no knife in sight.

Prof. Jonnesco stood by and watched Dr. Morris cut into the skull on the left side and remove the tumor. Once Jon-nesco helped to hold down the patient, who had several epileptic convul but the operation was done quickly and the surgeons found what they were looking for. They said that the heart had scarcely been affected at all, but respiration was difficult. It was a delicate and wonderful operation in the pointion of a good many surgeons.

A man over 50 years old was operate analgesia. Dr. Morris said, and yet the Prof. Jonnesco leaned over him and watched him closely to note the effects of the stovaine. The man looked up and

"Does it hurt you?" asked Dr. Morris The man murmured that he couldn't fee the cutting. Then Jonnesco left the oper-

The Rumanian surgeon didn't have anything to say after it was over except that he was satisfied with the results. Dr. Morris said:

"I am gratified at the results of our work this afternoon. The use of stovaine in the third operation, that of the tumor was especially effective. We would not have dared to operate otherwise under the conditions that confronted us, for the patient has heart disease and is subject

to epileptic fits." Among the spectators yesterday afternoon were Dr. Robert Abbe, Dr. John Erdman, Dr. George N. Miller and Dr.

The children at the Hospital for the Ruptured and Crippled who were operated upon on Tuesday were all doing wel last night. The hospital people the treatment was identical with that employed after operations performed under the usual complete anæsthetic.

ENTOMOLOGIST A SOCIALIST. Employee of L. S. at Honolulu Loses His Job for Preaching Discentent.

Special Cable Despatch to TRE SUN.
HONOLULU, Dec. 8.—Jacob Kotinsky ssistant entomologist of the Territorial ederal experiment station, has been discharged for trying to disseminate socialistic doctrines among newly arrived Russian immigrants. Kotinsky is an ardent Socialist as well as one of the best known

entomologists in the United States. When a recent shipment of Russian migrants reached Honolulu from Harbin, Kotinsky, himself a Russian, was observed to be very busy among them He was watched by Government inter-preters, who heard him, they allege, trying to stir up dissatisfaction among the new arrivals and create disregard for the new country to which they had come The matter was reported to Kotinsky superiors with the result that his resignation was immediately asked for.

WATERBURY GRADUALLY PAYS. George Gould Has Acquired the Habit of Suing Him for Money Lent.

When a suit of George J. Gould against Lawrence Waterbury to recover \$7,000 lent to the defendant in 1901 was called for trial in Part XIV. of the Supreme Court yesterday counsel for Mr. Gould handed up an order discontinuing the action. Counsel said that the fact that he had asked for the continuance was ground for presuming that Mr. Waterbury had settled.

settled.

This was the third suit of Mr. Gould against Mr. Waterbury. In 1907 he got a judgment for \$4,000 for money loaned and last year the judgment was satisfied. Later in the year another judgment for \$10,000 for money loaned the same year was entered against Waterbury. The money was all lent while the parties to the actions were members of the same polo team.

JAPAN MAY ANNEX COREA. St. Petersburg Seriously Disturbed Ove

Danger of a New War. Special Cable Desputch to THE SUN PARIS, Dec. 9 .- The St. Petersburg

correspondent of the Journal says that grave information has been received there from Tokio as to the actual intentions of Japan in regard to Corea. Diplomatic information which cannot be doubted is to the effect that since the sassination of Prince Ito Japan has resumed her former projects of pure and simple annexation of Corea to the Jap-

This political act would be in direct position to the Treaty of Portsmouth In case Japan should adopt such a course Russia would be forced to regard herself as grievously offended. It is considered in St. Petersburg that the conflict might give rise to a new casus belli.

INFORMAL WILL HOLDS GOOD. Words Spoken at Sea Answer Same Pur

pose as Attested Document. Surrogate Ketcham in Brooklyn yes decided that Mrs. Elizabeth Hughes of 1141 Forty-fourth street is entitled to her stepfather's estate of more than \$10,000, although the will involved consisted merely of the oral declaration that everything he owned belonged to Lizzie.

As these words were spoken by a mariner on the high seas in the presence of witnesses they serve the purpose of a duly drawn and attested will. witnesses were Capt. Henry McDonald and First Mate M. E. Broman of the steam ship Dorothy. They testified that the testator told them of his desire to leave his money to Mrs. Hughes.

The question which Surrogate Ketchan was called on to decide is of very rare occurrence. The ruling under which the decision was rendered applies to mariners on the high seas and soldier in actual military service.

EIGHT HUNGRY SEAGOERS.

The Cat Wouldn't Eat Cocoanuts While Head Gales Held Up the Ship.

The three masted Nova Scotian schoone A. K. MacLean, Capt. W. F. Remby docked in South Brooklyn yesterday with 394,000 cocoanuts from San Andreas. whose annual product is 12,000,000, and a tale of bad weather which held the chooner within sixty miles of Sandy Hook for fourteen days, during which the skipper and crew of six men and water and cocoanuts. The cat refused for three days to touch coccanut or bread. Then she decided that bread

was better than water alone. On December 2, when mostly hove to inder double reefed mainsail the tern had been bucking head gales for days and when all hands were despairing of ever having a decent meal again, the mate himself got pessimistic and thus relieved himself in the ship's log:

"If this wind don't soon change God mows when we will get to New York!" at dawn of that day the MacLean hailed the pilot boat and proclaimed that everybody was yearning for a change in the bill of fare. The pilot brought aboard for her he is alleged to have called her the MacLean meet, potatoes and tea, "damned little liar." and the cat got some of the mean

NO GOLD WREATHS.

Danish Court Circular Suggests That Money Be Given to the Poor.

Special Cable Despatch to TRE SUN. COPENHAGEN, Dec. 8. Several subcriptions were opened here to purchase gold and silver wreaths for the coffin of Princess Marie, wife of Prince Waldeman and sister-in-law of King Frederick,

who died on December 4. The Court Circular announces to-night that the Princess disliked such decorations and suggests that it would be more in accordance with her spirit if the money thus raised were devoted to the relief of the poor.

39 YEARS HE GETS.

Robber Who Was Discharged in Night Court When Victim Was Fined. Frank Singer, who was convicted before

Judge Mulqueen in General Sessions last week, was sentenced yesterday to State prison for thirty-nine years. Singer was convicted as a second offender of robbery in the first degree. He is 23 years old an lived at 187 South Third street, Brooklyn On June 4 last with three other men Singer walked into the restaurant o Abraham Rams at 30 Canal street and. drawing a revolver, took \$5 from the cash Rams followed the men from the store and managed to hang onto Singer In the night police court Singer was discharged by Magistrate Cornell and Ram was fined. Rams speaks English badly and it was due to his inability to tell the Court what had happened that Singer got away. Rams, inside of his inarticulate soul, had an idea that this wasn't a square deal, went to the police with his story, identified Singer's picture in the rogues

STOCKING POLICE CELLARS. Lots of Things to Drink in the West Fortyseventh Street Station.

gallery and had him arrested again.

Charles Steel, an attorney connecte with the State Board of Excise, visted the West Forty-seventh street police station yesterday afternoon and showed a search warrant issued by Justice Vernon M. Davis of the Supreme Court. He asked for policemen to raid two table d'hôte restaurants on West Forty-third street He said these restaurants have furnishing wines with meals and their proprietors have no licenses.

A patrol wagon with policemen drove down to West Forty-third street. At 120 the police found 398 bottles of all kinds of wine and whiskeys and at 121 they found fifty-one bottles.

These were loaded on to the patro wagon and taken to the West Forty-seventh street police station, where they were piled at the back of the deak. It took hree trips of the wagon to take all th seized stuff away.

The Place to Spend Christmas Holidays, hateau Frontenac, Quebec. An Ideal Winter teapri with all outdoor sports and attractions, obogganing, Snowshoeing, Skating, Ski-ing.

BROKAW DIVORCE TRIAL OF

WIFE TELLS IN COURT HER STORY OF ILL TREATMENT.

Brokaw's Counsel Calls Complaint Mud Slinging and Says Befence Can Sling Mud Back-Mrs. Brokaw Gives Di tails of Scenes Alleged in Complain

The trial of the suit for separation and \$60,000 a year alimony brought by Mrs. Mary Blair Brokaw against William Gould Brokaw was begun yesterday in the Nassau county Court House at Mine before Supreme Court Justice Putnam. The plaintiff was represented by Arthu J. Baldwin and Franklin Pierce, John F. McIntyre appeared for Broke

The court room was comfortably alle by 10 o'clock when court convened, and it was not until almost the last mo that Mrs. Brokaw made her appears In the brief interval between her entre and the convening of the court she talks with Dr. S. Westray Battle of Asl N. C., who will be called as a with Dr. Battle is George W. Vanderbilt's physician at Biltmore.

The plaintiff's case was stat Court by Mr. Baldwin. He began tell of an alleged instance of on the ground that it was not em in the complaint, and Mr. Baldwin read from the complaint specific general charges to show that Broke nduct made it unsafe for his wife t live with him. It was charged that t defendant would not permit his wife appear in public dining rooms or go the street, that he accused her of file with almost every man with who spoke, that he entered her private a ments at all hours of the night on pretexts and that he had made he

Mr. McIntyre took occasion to say the complaint was mere mud and that if there was to be mud a during the trial the defence could site

mud too Mr. Baldwin continued that whi Brokaws were living at Fairview, N where the Brokaw hunting lodge is located, Mrs. Brokaw by mistake opened sletter addressed to her husband and a quarrel ensued. The names that Mr Brokaw is alleged to have called his wife on that occasion Mr. Baldwin would no read aloud, as he said, because there we

adies present. It was alleged that Brokaw was even suspicious of the complainant's brother and that when he saw his wife talking to her brother he declared that the were cooking up a plot against him. I eve (1907) after the marriage of the Brokaws there was a scene at the table in Rye, where friends were b accused his wife of drinking with Jin Martin and other men, and a day or later, it was averred. Mrs. Brokaw wa called away from the table because placed the ban on champagne, the com It changed on Tuesday morning, and plaint said, and she had been drinking ginger ale poured from a chi When she told her husband the

From the complaint Mr. Baldwin re that Brokaw drank heavily at times and at others was penitent, but that he always returned to his cruel treatment. He said that Mrs. Brokaw had to go to a private hospital because of her nervous co A trip to France was taken for the benefit of Mrs. Brokaw's health. was not permitted, said the complaint, to go in the public dining rooms or to promenade the decks of the ship. Paris she was compelled to go again to a sanitarium, and soon after that, while at Fontainebleau, Mrs. Brokaw left her husband. In Paris she was served with a paper ordering her to return to her husband, and the hotel where she was staying was potified that Brokaw would not be responsible for her debts. The breach later was patched up and the party went to London, where Jimmy Martin died. Brokaw then returned to Paris. In Paris, it was alleged, Brokaw, while breaking into his wife's room, out his forehead and that he put a handker chief stained with red ink about his head and told the servants that his wife had struck him. There was a reconciliation and the couple returned to New York, only to quarrel again at Great

where Brokaw accused his wife of flirting with Dr. Henkel, one of the guests. Then there was a trip South, and when Mrs. Brokaw returned to Great Neck alone she found that none of the servants would obey her and that the tele wires had been cut. Brokaw, it was alleged, was angry because his wife entertained friends at Great Neck while he was still in the South, and telegraphed her to give him the names of every one present. He was alleged to have go so far as to accuse his wife of arrai it so that one of the men guests had

room next to hers. In December, 1908, Brokaw closed the Great Neck house and Mrs. Brokaw went to New York, where, it was said, Broke would not pay her bills.

Mr. Baldwin said that the defendant's ncome was sufficient to warrant him paying his wife at least the amount as since December 15, 1908. Mr. McIntyre asked that the compli

be dismissed on the ground that the entry

of Mrs. Brokaw's plea was not warra by the facts recited. Mrs. Brokaw took the stand imme diately after the noon recess. She is little more than a girl, with dark eyes and hair and regular features. She work a brown tailored suit, fox furs and a brown toque. She held herself in absolute con-

According to Mrs. Brokaw's t she went to Baltimore with Mr. Brokaw soon after their marriage. He accused her of flirting with a doctor, and when she depied it called her a lfar. He then ran out into the hall in his pajamas, telling all the bellboys he could summon not to allow her to leave the hotel.

Shortly afterward they went to the Hotel Seville, where they had Mr. and Mrs. James E. Martin, Jr., lunching with them. Mr. Martin died in Paris